

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

May 28, 2004

IN RE:

**PETITION OF COUNCE NATURAL GAS
CORPORATION TO INCREASE ITS RATES**

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**DOCKET NO.
04-00037**

ORDER AMENDING PROCEDURAL SCHEDULE

This matter is before the Hearing Officer upon the *Joint Motion by the Consumer Advocate and Protection Division of the Office of the Attorney General and Counce Natural Gas Corporation to Revise the Procedural Schedule* ("Joint Motion") filed by the parties on May 13, 2004.

On May 4, 2004, the Hearing Officer entered an *Order Establishing Procedural Schedule* which set forth dates for discovery and the filing of testimony and scheduled the hearing for June 25, 2004. On May 10, 2004, counsel for Counce Natural Gas Corporation ("Counce") filed a *Motion to Reschedule Hearing*, stating that the president of Counce would be unavailable for a hearing on June 25, 2004 and requesting that the hearing be reset at a time convenient to the Hearing Officer and the intervenor(s). In the *Joint Motion* filed thereafter on May 13, 2004, the parties asked to modify the procedural schedule by providing fourteen (14) additional days for discovery and filings and rescheduling the hearing for July 15, 2004.

Based upon the joint request of the parties, the Hearing Officer hereby amends the discovery and filing schedule as follows:

**All Discovery Requests Served
(one copy filed with the Authority)**

Friday, May 28, 2004

Objections to Discovery Filed

Wednesday, June 2, 2004

**Responses to Discovery Due
(one copy filed with the Authority)**

Friday, June 11, 2004

Direct Testimony of Intervenor(s)

Friday, June 25, 2004

Rebuttal Testimony of Company

Friday, July 2, 2004

All filings are required to be submitted to the Authority no later than **2:00 p.m.** on the date they are due. Requests for extensions of time shall be made by written motion and shall state the grounds therefor.

Because of a scheduling conflict, the Hearing Officer is unable to grant the parties' request to reset the hearing for July 15, 2004. Instead, the hearing is hereby reset for **Wednesday, July 28, 2004 at 10:00 a.m.**

IT IS THEREFORE ORDERED THAT:

1 The procedural schedule for this matter is revised and shall be as set forth in this Order

2. The Hearing in this matter is scheduled for **Wednesday, July 28, 2004, at 10:00 a.m.** before the Hearing Officer

3. Any motion to continue the Hearing shall be filed with the Authority no later than **Wednesday, July 21, 2004.**

4. Any person desiring to participate as a party in the Hearing of this matter shall file a petition to intervene with the Hearing Officer no later than **Wednesday, July 21, 2004.**


J. Richard Collier, Hearing Officer